

REMARKS

Claims 2, 4-7, 10-12 and 15, 16, 18-28 remain pending in this application. Claims 1, 9, 14 and 17 have been canceled, and new claims 18-21 were added. Support for new claims 18 and 21 can be found in canceled claims 1 and 17 and in paragraphs [0128] to [0131] and [0133] to [0135] of the specification. Supports for new claims 18 and 20 can be found in canceled claims 9 and 14. In addition, claims 2, 4-7, 10-12, 15 and 16 were amended to improve readability. Claims 22-28 are also new. Support for these claims can be found in paragraphs [0034], [0071], [0073], [0204], [0235] and [0251] of the specification.

Claims 1-17 stand rejected under 35 USC 112, second paragraph, as being indefinite. In particular, the Examiner states that the claim phrase “characterized in that” does not conform to U.S. practice. As stated above, claims 1, 9, 14 and 17 were canceled. Claims 2, 4-7, 10-12, 15 and 16 were amended so that they no longer recite the phrase “characterized in that.” Accordingly, applicants respectfully request the Examiner to withdraw this rejection.

Claims 1, 2 and 11 stand rejected on the ground of statutory double patenting over claims 1, 5 and 32 of U.S. Patent No. 7,364,619 (Dwilinski '619). Applicants note that Dwilinski '619 has a total of 27 claims—there is no claim 32 in Dwilinski '619. In addition, claim 1 of this application has been canceled, and new claim 18 recites forming a polycrystalline gallium-containing nitride feedstock from a metallic gallium feedstock. Claims 2 and 11 also include this feature by their respective dependencies on new claim 18. Claims 1 and 5 of Dwilinski '619 do not recite forming a polycrystalline gallium-containing nitride feedstock from a metallic gallium feedstock as claimed. Accordingly, claims 1, 2 and 11 of this application are not identical in scope to claim 1 or 5 of Dwilinkski '619, and applicants respectfully request that this rejection be withdrawn.

In view of the above, each of the claims in this application is in condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would

expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief, including extensions of time, and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **Docket No. 20455-2035400**.

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Respectfully submitted,

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